

September 16, 2016

Amelia Piggott  
U.S. Environmental Protection Agency, Region 8  
1595 Wynkoop Street  
Denver, Colorado 80202-1129

*Confidential Settlement Communications  
Subject to Rule 408*

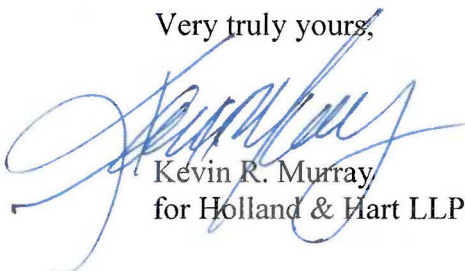
**Re: Oversight Cost Items - Bill #2781526S0034 (Oversight Bill) Related to the AOC  
Dated March 7, 2014 (AOC) for OU2 – OU3 (Site)**

Dear Amelia:

Following its review and exchange of materials and information related to the Oversight Bill, United Park would like to invoke formal dispute resolution with respect to the remaining Tetra Tech portion (\$136,079.14 plus related indirect costs). Funds covering this amount are in the dispute resolution escrow account.

Forwarded with this letter is the summary prepared by United Park outlining its reasons for the dispute. As expressed on several earlier occasions, United Park has a major concern regarding oversight costs. As discussed during the preparation of the AOC, the oversight process for OU2 – OU3 was intended to be run similar to that for OU1, which worked very well. Accordingly, separate from this letter and the related formal dispute resolution process, United Park has requested through the RPM a meeting to discuss oversight generally, including ongoing oversight costs that are presently being incurred and that will be incurred in the future.

Very truly yours,



Kevin R. Murray  
for Holland & Hart LLP

cc: Andrea Madigan

*UNITED PARK CITY MINES COMPANY  
FORMAL DISPUTE RESOLUTION REGARDING  
REMAINING TETRA TECH PORTION OF BILL #2781526S0034*

*SUMMARY OF REASONS FOR DISPUTE*

***Overall Matters***

- It is United Park's understanding that Tetra Tech has been working under a fixed price arrangement, established between EPA and Tetra Tech in advance, regardless of the work actually and ultimately performed under that arrangement.
- Work under the Tetra Tech arrangement is out of process, including, for example, various undertakings related to identifying and evaluating removal alternatives and technologies before anything is identified in the EE/CA process under the AOC.
- Work under the Tetra Tech arrangement was performed before the EE/CA and in some instances even prior to the AOC, and appears to be premature, speculative as to use and applicability, or unnecessary.
- This is a PRP-led Site, with a cooperative PRP in the process of performing the EE/CA. As the lead cooperative PRP, United Park should have been consulted in connection with, and should not be asked to pay for, third-parties conducting and preparing advance (pre-EE/CA) studies, research, evaluations, white papers, guidance documents, or revegetation or remediation alternatives analyses, all of which were performed or prepared before preliminary sampling had even been conducted. (Amounts billed for these categories are mixed in with others, so detail is needed to determine such amounts.)

***Particular Matters***

- The Innovative Assessments are outside the AOC and the Site. United Park should not be paying, for example, for costs to update or revise them. (Amounts billed for this category are mixed in with others, so detail is needed to determine such amounts.)
- EPA's recent communication suggests all utility-related items were necessary and pertain to the Site. However, certain billings appear to indicate some of them were part of UTVCP projects, particularly Park City Heights. (Amounts billed for this category are mixed in with others, so detail is needed to determine such amounts.)

United Park reserves the right to supplement or modify the foregoing, and anticipates submitting further information.